

Op 3619



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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER, IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER OF PATENTS & TRADEMARKS, WASHINGTON, DC 20231, ON

3.1.01 (DATE OF DEPOSIT)
3.1.01 Inf. Lause
DATE NAME

DOC NO. 5182

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: COBB

Serial No: 09/552,015

Group Art Unit: 3619

Filed: April 19, 2000

Examiner: Hurley, K.

For: MOTORIZED BICYCLE

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TO 3600 MAIL ROOM

PETITION FOR WITHDRAWAL

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

I, Richard W. Goldstein, attorney of record in the above case, hereby petition to withdraw from this case, and have my power of attorney cancelled therein.

I cannot adequately represent the Applicant, Mr. Cobb, since our interests have become adverse as a result of the actions of Mr. Cobb. He has filed complaints against me with the Office of Enrollment and Discipline, and has instituted a civil action against me.

I received an Office Letter in Mr. Cobb's case on January 24, 2001, which was mailed on January 19, 2001. Because

our relationship broke down nearly a year ago, I was surprised to receive the Office Letter. I had assumed that he had already engaged alternate counsel. Accordingly, on the same day that I received the Patent Office letter, I wrote a letter to Mr. Cobb, both notifying him of the Office Letter, and giving him the opportunity to revoke my power of attorney. A copy of this letter is attached hereto. He has not responded in any way. He has not given me any instructions regarding his case. I am sending him another letter contemporaneous with this petition, to make certain that he is aware of the April 19 deadline, knows that it is possible to extend the deadline somewhat if need be, and to urge him to seek other counsel.

This is my first request to withdraw from a case after eight years as a registered practitioner, and after handling approximately one thousand cases. However, because of Mr. Cobb's actions, I cannot zealously advocate on behalf of Mr. Cobb, and it would be unreasonably difficult for me to proceed with my representation of him. Accordingly, I must request permission to withdraw in this case.

Respectfully submitted,



Richard W. Goldstein
Reg. No. 36,527
Attorney For Applicant(s)
2071 Clove Road
Staten Island, New York 10304
(718) 727-9780

LAW OFFICE OF
RICHARD W. GOLDSTEIN
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March 1, 2001

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

Michael Cobb
913 E. 188th Street
Los Angeles, CA 90059

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Dear Mr. Cobb,

In my previous letter of January 24, 2001, I attempted to notify you about the current Office Letter, which must be responded to by April 19, 2001, and to give you the opportunity to revoke my power of attorney and seek alternate counsel. As of today, I have not received any instructions from you regarding responding to this Office Action, nor have I been notified that you have sought alternate counsel.

Because it is obvious that our interests are adverse, I must withdraw from representing you before the United States Patent Office. Enclosed is a copy of a petition to withdraw, which I am filing today with the Patent Office.

I would like to remind you once again, that to avoid abandonment of your patent case, this Office Action must be responded to by April 19, 2001. However, you can extend that deadline by one month, by petitioning the Commissioner of Patents, and paying a \$55.00 fee. However, you should immediately seek alternate patent counsel to fully advise you regarding any additional available extensions and your available options for responding to the Patent Office Letter.

Sincerely,

Richard W. Goldstein
Registered Patent Attorney